

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

Darnell Tipton (A01054),)
Plaintiff,)
v.) Case No. 16 C 2848
Lt. Brown, et al.,) Hon. Rebecca R. Pallmeyer
Defendants.)

ORDER

By the Chief Judge of the District Court, it is hereby ordered:

An internal audit by the Court's Fiscal Department shows that as of today's date, Plaintiff owes the filing fees in fourteen cases under the Prison Litigation Reform Act: 91 C 4085 (owes \$120); 93 C 6313 (owes \$120); 99 C 7081 (owes \$150); 07 C 6210 (owes \$161.99); 09 C 0047 (owes \$266.25); 09 C 3325 (owes \$350); 10 C 6949 (owes \$400); 11 C 3033 (owes \$400); 12 C 2821 (owes \$400); 12 C 6670 (owes \$400); 13 C 1731 (owes \$400); 15 C 2471 (owes \$400); 15 C 10571 (owes \$400); and 16 C 2848 (owes \$400). Having filed these lawsuits or appeals, Plaintiff has incurred an "irrevocable" obligation to pay the associated filing fees. See *Newlin v. Helman*, 123 F.3d 429, 433 (7th Cir. 1997); 28 U.S.C. § 1915(b)(1). The Court directs the trust fund officer to ensure that the foregoing amounts are collected using the mechanism of 28 U.S.C. § 1915(b). *Newlin*, 123 F.3d at 433.

Plaintiff shall pay (and the facility having custody of him shall automatically remit) to the Clerk of Court 20% of the money Plaintiff receives for each calendar month during which he receives \$10.00 or more, for each case or appeal in which he still owes a filing fee, until each is paid in full. See *Bruce v. Samuels*, 577 U.S. 82, 89-90 (2016) (providing for simultaneous, rather than sequential, collection of filing fees); *Lucien v. DeTella*, 141 F.3d 773 (7th Cir. 1998) (income for purposes of calculating payments includes all deposits to a prisoner's trust fund account, including but not limited to gifts and bequests). All payments shall be sent to the Clerk of Court, United States District Court, 219 South Dearborn Street, Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and the case number(s) assigned to the case(s). **That means that, until at least ten of his filing fees are satisfied, 100% of Plaintiff's income, when it meets statutory minimums, must be devoted toward these filing fees.** The Clerk is directed to docket this order in each of the cases identified above and send a copy of this order to: (1) the Fiscal Department and (2) to the trust fund officer at the facility having custody of Plaintiff. The trust fund officer shall ensure that a copy of this order is sent to each facility in which Plaintiff is housed until all of the above fees are satisfied.

ENTER:



REBECCA R. PALLMEYER
Chief Judge, U.S. District Court

Date: February 26, 2021